

Application No. 10/623,351
Amendment "A" dated October 12, 2004
Reply to Office Action mailed May 14, 2004

REMARKS

The present Amendment is in response to the Examiner's Office Action mailed May 14, 2004. Claims 5 and 12 are cancelled, claims 6, 8, 10-11 and 13-20 are amended. New claims 21-23 are added. Claims 6-11 and 13-23 are now pending in view of the above amendments.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

I. Allowed Subject Matter

The Examiner has indicated that claims 10, 13, 15, 17 and 20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicants have rewritten claim 10 in an independent format so as to include all of the limitations of the base claim. In particular, the scope of claim 10 has not been narrowed in any way so as to overcome any prior art, but has merely been rewritten in an independent format. As acknowledged by the Examiner, that claim is patentably distinct from the prior art, and is now in a condition for allowance. Moreover, for at least the same reason, claims now depending from claim 10 – namely, claims 6, 8 and 11 – are also in a condition for allowance.

Similarly, dependent claim 13 has been rewritten in independent format so as to incorporate all of the limitations of the base claim and any intervening claims. As acknowledged

Application No. 10/623,351
Amendment "A" dated October 12, 2004
Reply to Office Action mailed May 14, 2004

by the Examiner, claim 13 is now in a condition for allowance. Further, for at least the same reason as stated by the Examiner, claims depending from claim 13 – namely, claims 14-17 and 18-20 – are also in a condition for allowance.

Dependent claims 15, 17 and 20 have been rewritten to depend from newly independent claim 13.

New claim 21 has been written in independent format and incorporates substantially all of the limitations of old dependent claim 15. As acknowledged by the Examiner, that claim is patentably distinct from the prior art, and is now in a condition for allowance.

New claim 22 has been written in independent format and incorporates substantially all of the limitations of old dependent claim 17. As acknowledged by the Examiner, that claim is patentably distinct from the prior art, and is now in a condition for allowance.

New claim 23 has been written in independent format and incorporates substantially all of the limitations of old dependent claim 20. As acknowledged by the Examiner, that claim is patentably distinct from the prior art, and is now in a condition for allowance.

In summary, claims 6-11 and 13-23 are now pending in view of the above amendments, and all are patentably distinct from the prior art. Allowance of each of these claims is respectfully requested.

II. PRIOR ART REJECTIONS

A. Rejection Under 35 U.S.C. §102(a/b/c)

The Examiner rejects claims 5-9, 11-12, 14, 16 and 18-19 under 35 U.S.C. § 102(b) as being anticipated by *Batchelder* (United States Patent No. 5,908,661).

In view of the above amendments and claim cancellations, it is believed that the rejection is now moot. Applicant reserves the right to pursue this subject matter of the cancelled claims in one or more continuation applications

Application No. 10/623,351
Amendment "A" dated October 12, 2004
Reply to Office Action mailed May 14, 2004

CONCLUSION

In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 12th day of October, 2004.

Respectfully submitted,



ERIC L. MASCHOFF
Registration No. 36,596
Attorney for Applicant
Customer No. 022913
Telephone: (801) 533-9800